

BEFORE THE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE
CHENNAI

Original Application no: 187 of 2023 (SZ)

IN THE MATTER OF:

Tribunal on its own motion SUO MOTTU based
On the News Item in the Times of India, Chennai
Edition Newspaper dated 28.11.2023, under
the caption "Fish in Mylapore Temple Tank
found dead, deepam oil blamed" and in The
Hindu Newspaper Dt: 28.11.2023, under the
Caption "Thousand of dead fish removed
from Kapaleeswarar Temple's Tank in Chennai"

with

Hindu Religious Charitable Endowments Department
Represented by its Commissioner, Chennai and others. Respondents

AFFIDAVIT FILED BY THE 5th RESPONDENT

I, P.K.Kavenitha, wife of Krishnakumar, Hindu aged 45 years,
working as Joint Commissioner, Hindu Religious and Charitable
Endowments Department, presently working as the Joint
Commissioner/Executive Officer, Arulmighu Kapaleeswarar Thirukoil,
Mylapore, Chennai - 600 004, do hereby solemnly affirm and sincerely
state as follows:

1. I state that Arulmighu Kapaleeswarar Thirukoil, Mylapore, is a listed temple under Section 46 (iii) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, administered by the Trustees along with the Executive Officer. I state that there was a report in the daily newspapers on 28.11.2023 that "Fish in Mylapore Temple Tank found dead, deepam oil blamed" which has been taken up Suo Mottu by this Hon'ble Tribunal.

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Joint Commissioner / Executive Officer
Arulmigu Kapaleeswarar Temple,
Mylapore, Chennai-600 004.

the circular of the 1st respondent containing the SOP to be followed in respect of the temple tank was filed before this Hon'ble Tribunal by this respondent on 25.6.2025.

5. However, this Hon'ble Tribunal took note of the news report published in the tamil news daily 'Dina Malar' dated 26.6.2025 in the Chennai Regional news sheet, wherein a photograph of the temple tank taken from the north east corner had been published which had shown plastic and other waste strewn around and therefore this Hon'ble Tribunal, directed this respondent to file an affidavit explaining about the same and hence I am filing this affidavit.

6. It is stated that the temple tank at present is getting dry on all the four corners since there is no rain and the ground is able to be seen on all the four corners of the temple tank since 1st week of June 2025. The access to the temple tank is kept locked in all the places throughout the day and night by not allowing anyone to get in to the temple tank. On the western side of the temple tank adjoining Ramakrishna Mutt Road, there is a mandapam known as 'Kaariya Mandapam', which is used to performing the obsequies which are the traditional ceremonies that happen at a funeral and the same happens almost every day and specifically there are nearly 5 families which perform the obsequies. The persons who perform the obsequies are also not allowed inside the temple tank, except to get down half way through the steps to perform the rituals. Other than this, except for cleaning the tank steps by the employees of the temple and the persons doing 'Uzhavara Pani' no one is allowed to get in to the temple tank.

7. It is stated that the temple tank is cleaned every week by the temple staff who clear the waste that are found strewn in the steps and also in the edge of the water near the steps. Apart from the above, there

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Joint Commissioner / Executive Officer
Arulmigu Kapaleswarar Temple,
Mylapore, Chennai-600 004.

are two 'Uzhavara Pani' groups namely (i) Seer Mayilai Vaayilaar Arakattalai and (ii) Pambanswamigal Uzhavara Arakattalai, who are regularly doing the cleaning work in the temple tank and around the temple tank once in fortnight. For instance the Uzhavarapani group had lastly cleaned the tank on 22.6.2025 and 28.6.2025 and in between the temple staff as usual cleaned the steps on 25.6.2025. However, the waste like plastic bottles, plastic covers (food articles) and parcel papers (food parcel) are found in the temple tank every day [Devotees distribute food parcels every day to the poor who have the food and drop the parcel paper on the street and some times inside the temple tank through the iron grill fence.]

8. The devotees and other persons throw the waste in the temple tank inspite of the fact that the iron grill fence is put through out the temple tank boundary to the height of 6 feet. Some of the devotees throw puffed rice thinking to feed the fish and also throw the cover along with the puffed rice and some time chips packet also. Further there is an electricity transformer on the north east corner of the temple tank on the east East Tank Street, and adjoining the same there is an open space in which the waste are put by the devotees and other persons, which is carried by the wind in to the temple tank. The above fact was witnessed while an inspection was conducted on 29.6.2025 to find out the reason for presence of waste articles inspite of cleaning the temple tank every week.

9. The temple administration has found the reason for the waste to enter in to the temple tank which is carried by strong wind and therefore it has been decided to erect mesh around the iron grill on the eastern side of the temple tank to prevent the waste being carried in to the temple tank due strong winds. The temple staff is also directed to conduct inspection of the temple tank every day to see that the waste is removed every day.

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Joint Commissioner / Executive Officer
Arulmigu Kapaleeswarar Temple,
Mylapore, Chennai-600 004.

10. It is respectfully stated that the picture that is published in the news paper on 26.6.2025 is presumed to be taken some time back when the water receded. In fact the tank and the steps were cleaned on 22.6.2025 and 25.6.2025. However, this respondent undertakes to see that utmost care is taken to keep the temple tank free from waste by having the same cleared regularly.

Solemnly affirmed at Chennai
this the 3rd day of July 2025
and signed her name in my
presence.

Joint A. S. Page
Chennai

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Joint Commissioner / Executive Officer
Arulmigu Kapaleeswarar Temple,
Mylapore, Chennai-600 004.
Before Me

Advocate :: Chennai.

BEFORE THE NATIONAL GREEN TRIBUNAL,
SOUTH ZONE CHENNAI

O.A.No. 187 of 2023 (SZ)

AFFIDAVIT FILED BY THE 5th RESPONDENT

M/s. R.BHARANIDHARAN (1096/94)
P.K.HARINATH BABU(1041/2009)

COUNSEL FOR 5th RESPONDENT

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